

**Corporate Creations Network Inc.**  
 801 US Highway 1 North Palm Beach, FL 33408

Publix Super Markets, Inc.  
 Merriann Metz General Counsel & Secretary  
 Publix Super Markets Inc.  
 3300 Publix Corporate Parkway  
 Lakeland FL 33811

09/16/2022

## SERVICE OF PROCESS NOTICE

The following is a courtesy summary of the enclosed document(s). **ALL information should be verified by you.**

Item: 2022-7233

Note: Any questions regarding the substance of the matter described below, including the status or how to respond, should be directed to the contact set forth in line 12 below or to the court or government agency where the matter is being heard. **IMPORTANT:** All changes or updates to the SOP contact individuals or their contact information must be submitted in writing to SOPcontact@corpcreations.com. Any changes will become effective upon written confirmation of Corporate Creations.

1.	<b>Entity Served:</b>	Publix Super Markets, Inc.
2.	<b>Title of Action:</b>	Malcom Huckins vs. Publix Super Markets, Inc.
3.	<b>Document(s) Served:</b>	Officer's Return Summons Complaint and Demand for Trial by Jury
4.	<b>Court/Agency:</b>	Hamilton County Circuit Court
5.	<b>State Served:</b>	Tennessee
6.	<b>Case Number:</b>	22C891
7.	<b>Case Type:</b>	Negligence
8.	<b>Method of Service:</b>	Hand Delivered
9.	<b>Date Received:</b>	Thursday 09/15/2022
10.	<b>Date to Client:</b>	Friday 09/16/2022
11.	<b># Days When Answer Due: Answer Due Date:</b>	30 Saturday 10/15/2022  <b>CAUTION:</b> Client is solely responsible for verifying the accuracy of the estimated Answer Due Date. To avoid missing a crucial deadline, we recommend immediately confirming in writing with opposing counsel that the date of the service in their records matches the Date Received.
12.	<b>Sop Sender:</b> (Name, City, State, and Phone Number)	Yates & Wheland Chattanooga, TN 423-888-3030
13.	<b>Shipped To Client By:</b>	Regular Mail and Email with PDF Link
14.	<b>Tracking Number:</b>	
15.	<b>Handled By:</b>	431
16.	<b>Notes:</b>	None.

NOTE: This notice and the information above is provided for general informational purposes only and should not be considered a legal opinion. The client and their legal counsel are solely responsible for reviewing the service of process and verifying the accuracy of all information. At Corporate Creations, we take pride in developing systems that effectively manage risk so our clients feel comfortable with the reliability of our service. We always deliver service of process so our clients avoid the risk of a default judgment. As registered agent, our role is to receive and forward service of process. To decrease risk for our clients, it is not our role to determine the merits of whether service of process is valid and effective. It is the role of legal counsel to assess whether service of process is invalid or defective. Registered agent services are provided by Corporate Creations Network Inc.

801 US Highway 1 North Palm Beach, FL 33408 Tel: (561) 694-8107 Fax: (561) 694-1639  
 www.CorporateCreations.com

**State of Tennessee,  
County of Hamilton**

I, Larry Henry, Clerk of the Circuit Court, in and for the State and County aforesaid, hereby certify that the within and foregoing is a true and correct copy of the original writ of summons issued in this case.

Larry Henry, Circuit Court Clerk

By: \_\_\_\_\_, D.C.

**OFFICERS RETURN**

I certify that I served this summons together with the complaint as follows:

☐ On, \_\_\_\_\_, 20\_\_\_\_, I delivered a copy of the summons and complaint to the Defendant, \_\_\_\_\_

☐ Failed to serve this summons within 30 days after its issuance because: \_\_\_\_\_

Jim Hammond, Sheriff

\_\_\_\_\_  
Deputy Sheriff

**CLERK'S RETURN**

I hereby acknowledge and accept service of the within summons and receive copy of same, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Defendant

Larry Henry, Circuit Court Clerk

By: \_\_\_\_\_, D.C.

**Notice to Defendant(s)**

Tennessee law provides a four thousand (\$4,000.00) personal property exemption from execution or seizure to satisfy a judgment. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. The list may be filed at any time and may be changed by your thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these include items of necessary wearing apparel (clothing) for yourself and your family and trunks or other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer.

FILE COPY

IN THE CIRCUIT COURT OF  
HAMILTON COUNTY, TENNESSEE

MALCOLM HUCKINS

Petitioner

v.

PUBLIX SUPER MARKETS, INC.

Respondents.

Docket No. 22C891

Div.

SUMMONS

To: Publix Super Markets, Inc. Attn Registered Agent Corporate Creations Network Inc.,  
205 Powell Place, Brentwood, TN 37027

You are hereby summoned to answer and make defense to a bill of complaint which has been filed in the Circuit Court of Hamilton County, Tennessee in the above styled case. Your defense to this complaint must be filed in the office of the Circuit Court Clerk of Hamilton County, Tennessee on or before thirty (30) days after service of this summons upon you. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

WITNESSED and Issued this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Larry Henry, Circuit Court Clerk

By: \_\_\_\_\_  
Deputy Circuit Court Clerk

Attorneys for Defendant: YATES & WHELAND  
C. Allen Yates, BPR No. 028523  
412 Georgia Avenue Suite 102  
Chattanooga, Tennessee 37403  
(423) 888-3030, Fax: (423) 888-3030

Defendant's Address: % Yates & Wheland

Received this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

/s/ \_\_\_\_\_

Deputy Sheriff

IN THE CIRCUIT COURT SITTING IN HAMILTON COUNTY  
STATE OF TENNESSEE

Malcolm Huckins,

Plaintiff,

vs.

Publix Super Markets, Inc.,

Defendant.

CIVIL ACTION

FILE NO. 22C891

JURY TRIAL DEMANDED

**COMPLAINT AND DEMAND FOR TRIAL BY JURY**

Plaintiff Malcolm Huckins, files this Complaint and Demand for Trial by Jury against Defendant Publix Super Markets, Inc. ("Publix") as follows:

**JURISDICTION AND VENUE**

1.

Plaintiff is a resident of Tennessee.

2.

Defendant Publix is a for-profit foreign corporation authorized to do business in Tennessee. Defendant Publix is subject to the jurisdiction of this court after service upon its registered agent for service, Corporate Creations Network Inc., 205 Powell Place, Brentwood, TN.

3.

Venue is proper in Hamilton County because Defendant Publix operates a grocery store at 400 N Market St, Chattanooga, Hamilton County, TN 37405 (the "Premises") where the subject incident of this complaint occurred.

### **FACTS**

4.

On or about August 31, 2021, Plaintiff was at the Premises and was an invitee of Defendant Publix.

5.

Plaintiff was walking on the Premises when he slipped on a wet floor and fell.

6.

Plaintiff slipped and fell because of the wet floor.

7.

Plaintiff did not see the wet floor prior to slipping and falling.

8.

The wet floor caused Plaintiff to slip and fall which caused significant bodily injury.

**COUNT ONE - NEGLIGENCE**

9.

Defendant Publix had a duty to keep the floor of the Premises clear of water and safe for invitees such as Plaintiff.

10.

The wet floor was a hazardous and defective condition that posed a hazard to invitees such as Plaintiff.

11.

Defendant Publix had actual notice of the hazardous and defective condition.

12.

The wet floor had existed for a sufficient period of time to give Defendant Publix notice of the hazardous and defective condition.

13.

A reasonable inspection of the Premises would have revealed the existence of the water on the floor, thus giving Defendant Publix constructive notice of the hazardous and defective condition.

14.

Plaintiff lacked knowledge of the hazardous and defective condition.

15.

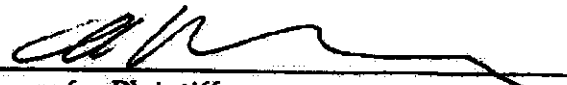
Defendant Publix's knowledge of the hazardous and defective condition was superior to Plaintiff's.

WHEREFORE, Plaintiff prays that he have a trial on all issues and judgment against Defendant Publix as follows:

- a. That Plaintiff recover the full value of his past and future medical expenses in an amount to be proven at trial but not less than \$100,000.00;
- b. That Plaintiff recover for physical pain and suffering, loss of enjoyment of life, and emotional distress in an amount to be determined by the enlightened conscience of a jury of not less than \$750,000.00;
- c. That Plaintiff recover reasonable attorney's fees and costs of litigation and any statutory penalties allowed by law;
- d. That Plaintiff recovers such other and further relief as is just and proper;
- e. That all issues be tried before a jury.

Respectfully submitted this 26th day of August, 2022.

Yates & Wheland

  
Attorneys for Plaintiff

C. Allen Yates - Bar No. 028523  
412 Georgia Avenue - Suite 102  
Chattanooga, TN 37403  
423.888.3030  
ay@ywlawyers.com